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April 27, 2022

VIA ECF

Hon. Paul G. Gardephe, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: Sandra Wijnberg v. Matthew Levin
Docket No. 1:22-mc-00117-PGG

Dear Judge Gardephe,

We represent the movant, Sandra Wijnberg, with respect to her Motion to Quash filed on April 20, 2022. We write on behalf of Ms. Wijnberg and with the consent of the defendant in the underlying litigation, Matthew Levin, requesting a transfer of the above-captioned matter to Judge Wigenton and Magistrate Judge Clark in the United States District Court for the District of New Jersey in the action captioned *ADP, Inc. v. Matthew Levin* Civil Action No. 2:21-cv-10574-SDW-JBC (the “Underlying Action”).

Mr. Levin served a subpoena on Ms. Wijnberg on April 5, 2022. Ms. Wijnberg filed her Motion to Quash in this Court as required by Fed. R. Civ. P. 45(3) because this is the district where compliance with the subpoena was required. Both Ms. Wijnberg and Mr. Levin agree that *ADP, Inc. v. Matthew Levin* Civil Action No. 2:21-cv-10574-SDW-JBC, United States District Court, District of New Jersey, the forum of the Underlying Action, is the appropriate court to address the subject matter of ADP’s Motion for Protective Order (*see, e.g., Google LLC*, 2020 WL 1304039, at *1 (S.D.N.Y. 2020) (granting motion to transfer to the court managing the underlying litigation as it is “best-positioned to address the subpoena dispute given the nature of the dispute and the posture and complexity of the underlying action”), and both consent to transfer of the Motion to Quash under Fed. R. Civ. P. 45(f).



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The Parties therefore respectfully request that this Court grant this Letter Motion to transfer and instruct the Clerk of Court for this District to transfer this proceeding, including all filed documents, to the United States District Court for the District of New Jersey, for adjudication in the Underlying Action. We thank the Court for its consideration.

Respectfully submitted,

GENOVA BURNS LLC

/s/ Harris S. Freier

HARRIS S. FREIER

cc: All counsel of record

MEMO ENDORSED:

The Clerk of Court is directed to transfer this matter to the U.S. District Court for the District of New Jersey.

SO ORDERED:

Paul G. Gardephe

Paul G. Gardephe, U.S.D.J. Paul G

Dated: April 27, 2022

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